

tions, duly signed by the president and attested by the secretary of this association, be forwarded to our said Senator and Representative.

SAM H. LOUNDES,  
President.

JOHN H. SHEPPARD,  
Secretary.

By Senator Adams:

Duffau, Texas, February 27, 1909.

Hon. W. W. Adams, Austin, Texas.

Dear Sir: We, the following representative citizens of Duffau, Erath county, Texas, do earnestly and sincerely request you as our Senator from this Senatorial District, to vote for the anti-gambling bill that has already passed the House of Representatives, and we further petition that you use your every influence to secure the passage of this bill.

Numerously signed.

Also a like petition from citizens of Hico.

By Senator Murray:

We, the undersigned, do hereby respectfully petition you to vote for, and to use your influence on behalf of, a bill which will be presented at this session of the Legislature, asking it to submit to a vote of the people at the next regular election the question of a constitutional amendment, allowing any person holding a just and legal claim against another to garnishee as much as 10 to 25 per cent of any wages or salary that may be due to such debtor by another, to be applied to the payment of such claim. This is not intended to work a hardship on any one indebted, but it is hoped that such a law will have a tendency to educate those contracting debts in Texas to more economic habits and to have a greater regard for truth, honor and fidelity to their fellowman.

Under our present laws, the very nature and construction of which show an unmistakable tendency to shield the "deadbeat" and to encourage him in defeating the collection of an honest debt, one may lend to another his time, knowledge and merchandise, means with which to shelter, clothe and provide for his family, and yet he has no power or right in any court of Texas by which he can collect for such service where the person accommodated refuses to pay. We submit that this is unjust, and works a hardship upon the honest and worthy citizen, as well as upon the merchant, and in asking for

the submission of this question we are but seeking a law that will reward honesty rather than one that encourages rascality and subjects the State to adverse criticism by honest men everywhere.

Numerously signed.

### THIRTY-SIXTH DAY.

Senate Chamber,  
Austin, Texas,

Tuesday, March 2, 1909.

The hour to which the Senate adjourned having arrived, and in the absence of both the Lieutenant Governor, President of the Senate, and the President Pro Tem. of the Senate, the Senate was called to order by Clyde D. Smith, Secretary.

The roll was called, quorum present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.

Absent.

Masterson.	Thomas.
Terrell of Bowie.	Willacy.

Absent—Excused.

Hume.

The Chair announced that the election of a President Pro Tem. ad interim was the next order of business.

Whereupon Senator Meachum placed in nomination for that place, Senator Brachfield.

There being no other nominations, the Chair declared nominations closed.

Senators Meachum, Veale and Perkins were appointed tellers.

Senator Brachfield received 23 votes, and was declared elected.

The Chair appointed Senators Meachum and Veale to escort the Senator to the President's stand, whereupon the gavel was surrendered to him, and he proceeded to the business of the Senate.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of

yesterday, on motion of Senator Stokes, the same was dispensed with.

### BILLS AND RESOLUTIONS.

By Senator Watson:

Senate bill No. 291, A bill to be entitled "An Act to authorize the incorporation of life, accident and health insurance companies, and defining same, and to authorize such companies to transact business in the State of Texas; to authorize other like companies incorporated under the laws of other States, Territories and countries to transact business in this State; to regulate the business of such companies; to define the duties and powers of the Commissioner of Insurance and Banking and give to him authority to issue, suspend and revoke permits to such companies to transact business in this State and to apply for the appointment of a receiver for such companies when they become unpaid; defining the method of arriving at the value of personal property of such companies for the purpose of State, county and municipal taxation and exempting such companies from an occupation or gross receipts tax; to fix the situs of personal property of such companies for the purpose of taxation; to permit the deposit of securities in the office of the State Treasurer, fixing venue of suits and providing the method and manner of service of process; providing penalties for violation of the provisions of this act; repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Insurance, Statistics and History.

By Senator Kellie:

Senate bill No. 292, A bill to be entitled "An Act providing for better sanitation of incorporated cities and towns within the State of Texas by more efficient control of sewers and sewer connection, and declaring an emergency."

Read first time, and referred to Committee on Towns and City Corporations.

By Senator Cofer:

Senate bill No. 293, A bill to be entitled "An Act to limit the time within which the State or any county, city or town shall institute suit for any taxes now due or that may hereafter become due the State or any county, city or town."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Cofer:

Senate bill No. 294, A bill to be entitled "An Act to amend Title 104, Chapter 5a, Articles 5232b and 5232c of the Revised Statutes of the State of Texas."

Read first time, and referred to Judiciary Committee No. 1.

By Senators Meachum, Willacy, Adams, Alexander, Watson, Masterson, Hudspeth, Mayfield, Murray, Real, Ward, Perkins, Kellie, Weinert, Sturgeon, Senter, Paulus, Bryan, Hayter, Harper, Veale, Terrell of McLennan, Holsey and Peeler:

Senate bill No. 295, A bill to be entitled "An Act to authorize the Governor of the State of Texas to purchase and receive transfer from Mrs. John H. Reagan on behalf of the State, of the books and papers of the Hon. John H. Reagan, deceased, and making an appropriation of \$10,000 to pay therefor."

Read first time, and referred to Finance Committee.

By Senators Murray, Sturgeon, Weinert, Harper, Willacy, Masterson, Kellie and Paulus:

Senate Concurrent Resolution No. 9, Appropriating \$5000 for the use of the Rivers and Harbors Congress to be used under the direction of the Governor and Lieutenant Governor of the State.

Read first time, and referred (by President Pro Tem. Terrell) to Finance Committee.

Morning call concluded.

### EXECUTIVE SESSION.

Here the Chair (President Pro Tem. ad interim Brachfield) announced that the hour had arrived for the Senate to go into executive session for the purpose of considering appointments sent to the Senate on last Friday.

The Senate Chamber was ordered cleared of all not entitled to remain.

### IN EXECUTIVE SESSION.

In executive session the following confirmations were made:

R. H. Harris of Tom Green county, A. S. Gage of Bexar county, Tom F. McClure of Jones county, to be members of the Live Stock Sanitary Commission of Texas.

## IN THE SENATE.

(Lieutenant Governor Davidson in the chair.)

## MOTION TO TAKE UP SENATE BILL NO. 218.

Pending business being Senate bill No. 176, the Chair so stated, and

Senator Senter moved that the pending order of business (Senate bill No. 176) be suspended, and the Senate take up, out of its order, Senate bill No. 218.

## RECESS.

Senator Sturgeon moved that the Senate recess until 3 o'clock today.

Senator Watson moved, as a substitute that the Senate recess until 8 o'clock tonight.

The substitute motion was lost by the following vote:

## Yeas—9.

Adams.	Perkins.
Bryan.	Stokes.
Meachum.	Terrell of McLennan.
Paulus.	Watson.
Peeler.	

## Nays—15.

Alexander.	Mayfield.
Brachfield.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Veale.
Hayter.	Ward.
Holsey.	Weinert.
Hudspeth.	

## Absent.

Hume.	Terrell of Bowie.
Kellie.	Thomas.
Masterson.	Willacy.
Murray.	

Action recurred on the motion to recess until 3 o'clock today, which motion was adopted.

## AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House invites the Senate to meet in joint session with the House tonight at 8 o'clock in honor of the anniversary of Texas' independence.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## INVITATION TO SIT IN JOINT SESSION WITH HOUSE.

Here the Chair laid before the Senate the invitation from the House of Representatives to sit with that body in joint session on account of the celebration of Texas Independence Day (see above message).

Senator Holsey moved that the invitation be laid on the table subject to call.

The motion prevailed.

## SENATE BILL NO. 129.

Senator Bryan here called up, as a privilege matter,

Senate bill No. 129, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1900, and which have failed or are about to fail to construct their roads and branches or any part thereof, within the time prescribed by law, and declaring an emergency."

And moved that the Senate do not concur in the following House amendments, and requested a Free Conference Committee:

Amend the bill, Section 1, line 23, by inserting after the words "railway company" the following: "Holding a charter which was granted since the first day of January, 1900, or."

Amend Senate bill No. 129, Section 1, page 1, line 23, by adding after the word "which" the following: "Has been created by articles of incorporation filed with the Secretary of State since January 1, 1901, or which."

The motion to non-concur prevailed, and the Chair appointed the following as the Free Conference Committee:

Senators Bryan, Brachfield, Ward, Hudspeth and Murray.

## SENATE BILL NO. 176.

The Chair laid before the Senate, on second reading,

Senate bill No. 176, A bill to be entitled "An Act to fix and declare the right of

contract in certain cases and to regulate the making of contracts between publishers of newspapers, periodicals and railroad, interurban and other transportation companies."

The question on the bill was the pending amendment by Senator Holsey (see yesterday's Journal for the amendment).

The amendment was read, and

Senator Senter made the point of order on the amendment, contending that the subject matter of the amendment was not germane to the subject matter of the bill.

The Chair (Lieutenant Governor Davidson) overruled the point of order.

The amendment was then adopted by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Cofer.	Peeler.
Greer.	Perkins.
Harper.	Real.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Watson.
Mayfield.	Weinert.

Nays—3.

Senter.	Ward.
Stokes.	

Absent.

Bryan.	Thomas.
Hume.	Willacy.

Senator Alexander offered the following amendment, which was read and adopted:

Amend the bill as amended by adding Section 1b, to read as follows:

"Section 1b. The provisions of this act as it applies to volunteer firemen and ex-Confederate soldiers, shall in like manner apply to managers and nurses of orphan homes, charitable institutions and hospitals who devote their whole time to the work of such homes, institutions and hospitals, and to persons exclusively and regularly engaged in securing homes for orphan children, each of which persons above mentioned and such railroads, interurban or electric railway companies shall have the right and authority to make such contracts and agreements as will permit the persons above named to travel over such lines of railway at reduced rates or without cost."

Senator Terrell of Bowie offered the following amendment:

Amend Section 1 of the bill by adding thereto the following: "Provided, any railway, interurban or electric street railway company transacting business in this State shall have authority to exchange passenger transportation for professional services, manual labor or any kind of commodity, and the person receiving such transportation shall have the right to use same regardless of whether or not such person is an officer or a private citizen."

Senator Perkins moved to table the amendment, which motion was lost, by the following vote:

Yeas—12.

Adams.	Perkins.
Alexander.	Stokes.
Hayter.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Peeler.	Weinert.

Nays—15.

Brachfield.	Murray.
Bryan.	Paulus.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Meachum.	

Absent.

Hume.	Thomas.
Mayfield.	Willacy.

The amendment was then lost, by the following vote:

Yeas—12.

Brachfield.	Murray.
Cofer.	Paulus.
Greer.	Senter.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Masterson.	Terrell of McLennan.

Nays—15.

Adams.	Perkins.
Alexander.	Real.
Bryan.	Stokes.
Hayter.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Meachum.	Weinert.
Peeler.	

Absent.

Hume.	Thomas.
Mayfield.	Willacy.

Senator Senter offered the following amendment, which was read and adopted.

Amend the bill by adding to the amendment offered by the Senator from Navarro the following:

"The provisions of this act shall extend to the regularly accredited ministers of all church organizations, the active agents of all charitable organizations, the State officers of all industrial, agricultural, mechanical and labor organizations, and the State officers of all fraternal societies."

Senator Bryan offered the following amendment, which was read and adopted:

Add to end of Section 1: "Provided, transportation shall be given to the Live Stock Sanitary Commission and its employes, not to exceed thirteen in number, when a specific contract is made with said road or roads by said Live Stock Sanitary Commission to inspect all shipments of live stock that are required to be inspected before same can be shipped over said roads."

BRYAN,  
HUDSPETH,  
ALEXANDER,  
PEELER,  
HAYTER,  
COFER,  
MURRAY,  
WATSON,  
PERKINS,  
MASTERSON,  
REAL.

Senators Terrell of McLennan, Terrell of Bowie and Holsey offered the following amendment:

Amend the bill by striking out the enacting clause.

Laid on table.

Senator Sturgeon offered the following amendment:

Amend the bill by allowing any regularly accredited delegates to any farmers' convention or institute in the State of Texas at which they may be assembled for the purpose of discussing the better means and manner of carrying on the agriculture of the State of Texas to contract with any railroad, interurban or electric car line for transportation.

STURGEON,  
MAYFIELD,  
ALEXANDER,  
COFER.

The amendment was adopted, by the following vote:

Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	

Absent.

Bryan.	Thomas.
Hume.	Willacy.

Senator Alexander offered the following amendment, which was read and adopted:

Amend the caption of the bill by adding after the word "issued," in line 10, page 1, the following: "And between managers and nurses of orphans homes, charitable institutions and hospitals, volunteer firemen and ex-Confederate soldiers and other persons under named conditions."

Senator Holsey moved the previous question, on the amendment, and the bill, which motion was lost.

Senator Senter offered the following amendment:

Amend the bill by striking out all after the enacting clause, and substituting the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. That from and after the passage of this act it shall be lawful for any person, firm or corporation to contract with any railway, steam railway or interurban railway corporation to exchange service, or anything of value owned or controlled by such person, firm or corporation for passenger transportation; provided, such exchange shall be based upon a reasonable valuation upon such services or thing of value so exchanged, and that the provisions of this act shall not extend to any public official.

Senator Alexander made the point of order that the amendment contained the same subject matter as a former amendment, which had been already rejected by the Senate.

The Chair overruled the point of order.

Senator Meachum moved the previous question on the amendment and the engrossment of the bill, which motion being duly seconded, was so ordered.

The amendment by Senator Senter was lost, by the following vote:

## Yeas—10.

Adams.	Real.
Kellie.	Senter.
Meachum.	Terrell of Bowie.
Murray.	Ward.
Perkins.	Weinert.

## Nays—17.

Alexander.	Mayfield.
Brachfield.	Paulus.
Cofer.	Peeler.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Watson.
Masterson.	

## Absent.

Bryan.	Thomas.
Hume.	Willacy.

Action then recurred on the amendment to strike out the enacting clause.

The amendment was lost, by the following vote:

## Yeas—10.

Brachfield.	Paulus.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Meachum.	Veale.

## Nays—18.

Adams.	Murray.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Hayter.	Senter.
Hudspeth.	Stokes.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.

## Absent.

Hume.	Willacy.
Thomas.	

The bill was read second time, and ordered engrossed, by the following vote:

## Yeas—17.

Adams.	Alexander.
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Bryan.	Peeler.
Cofer.	Perkins.
Hayter.	Real.
Hudspeth.	Stokes.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Murray.	

## Nays—11.

Brachfield.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Meachum.	Veale.
Paulus.	

## Absent.

Hume.	Willacy.
Thomas.	

Senator Brachfield moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

Senator Meachum moved, as a substitute, to reconsider the vote by which the bill was ordered engrossed, and spread that motion on the Journal.

Senator Terrell of Bowie moved to table the motion to spread on the Journal, which motion was lost by the following vote:

## Yeas—11.

Brachfield.	Paulus.
Greer.	Stokes.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Mayfield.	

## Nays—17.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Hayter.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Meachum.	Weinert.
Murray.	

## Absent.

Hume.	Willacy.
Thomas.	

The substitute motion to spread on the Journal was then adopted.

## REASONS FOR VOTING.

I am against this bill, and being afraid it would pass, I have offered and voted for all amendments that I

thought would cause the Governor to veto it.

TERRELL of Bowie.

I vote "nay" on the engrossment of the bill for the reason that the original bill, as amended, practically destroys the anti-free-pass law enacted by the Thirtieth Legislature.

VEALE.

I vote "nay" on the engrossment of Senate bill No. 176, commonly known as the "right of contract" bill, a bill that if enacted will give to the newspapers of the State a privilege not enjoyed by others, the right to purchase mileage over the railroads without the cash. As the law today stands, every citizen is required to pay cash for transportation, and thereby all stand equal before the law.

The newspapers of the State have sought to create the impression that the Thirtieth Legislature abridged the right of contract when, as a matter of fact, no Legislature has that power under the Constitution. As I see it, no law should be passed granting special privileges to any profession. While voting for certain amendments to this bill I did so for the purpose of loading the bill down as much as possible, with the ultimate hope of defeating its passage.

TERRELL of McLennan.

#### HOUSE BILL NO. 186—FREE CONFERENCE COMMITTEE REPORT ADOPTED.

Senator Masterson offered the following Free Conference Committee report:

Austin, Texas, March 1, 1909.

Hon. A. B. Davidson, President of the Senate, and Hon. A. M. Kennedy, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee appointed on

House bill No. 186, A bill to be entitled "An Act to amend the charter of the city of Galveston by adding thereto a new section, to be numbered 69a, authorizing the issuance of bonds for grading, raising and filling to grade certain streets, sidewalks, alleys, lots and blocks in said city, and declaring an emergency,"

Have had the same under consideration, and beg leave to report back to the Senate that the amendment adopted by the Senate be not passed, but in lieu

thereof we recommend the following amendments:

Amend the bill by striking out all after the enacting clause and insert in lieu thereof the following:

"Section 1. That the charter of the city of Galveston be and the same is hereby amended by adding thereto Sections 71f and 71g, to read as follows:

"Section 71f. In addition to the power to issue any and all other bonds as elsewhere or otherwise provided in or by the charter of the city of Galveston, the Board of Commissioners of the said city of Galveston shall have the power and are hereby authorized to issue the bonds of the city of Galveston in the denomination of \$100 or multiples thereof, to the amount of \$125,000, payable not more than fifty years after their date, with the right of the city to at any time after twenty years from their date redeem any of them, and bearing interest payable semi-annually at a rate not to exceed 5 per cent per annum, said bonds not to be sold or otherwise disposed of at less than par, and their proceeds to be used and expended exclusively for raising and filling to proper grade the avenues, streets, sidewalks, alleys, lots and blocks in said city of Galveston, situated between the north line of Broadway and the south line of Avenue H and west line of Thirty-third Street and the east line of Forty-fifth Street. And said Board of Commissioners shall have the power and are hereby authorized to levy and cause to be assessed and collected annually for the purpose of paying the interest upon said bonds and providing a sinking fund for the redemption thereof of not less than 2 per cent per annum, an ad valorem tax of not to exceed 4 cents on the \$100 cash value of all real, personal and mixed property within the corporate limits of the city of Galveston, or that may be taxable therein, except so much of said property as may be exempted from taxation by the Constitution and Laws of this State or of the United States. Provided, that the provisions of Chapter 149 of the Acts of the Twenty-sixth Legislature, approved May 26, 1899, shall not be held to apply to the issue of bonds herein provided for; and provided further, that the said city of Galveston shall not be liable in damages for any injury or injuries to persons or to property caused by the filling, raising, grad-

ing or elevating of any property provided for in this act.

"Section 71g. All lots and blocks and buildings thereon and all avenues, streets, sidewalks and alleys in the above described portion of the city of Galveston are hereby declared to be dangerous to the health and safety of the inhabitants of said city, and a public necessity exists for raising and filling the same to grade, and the Board of Commissioners of said city shall have the power and are hereby authorized to cause all such lots, blocks, avenues, streets, sidewalks and alleys to be raised and filled to grade and to pay for the same out of the proceeds of the bonds herein authorized to be issued; all buildings on the lots and blocks above mentioned shall be raised to conform to the established grade by the owners thereof at their own cost and expense."

"Sec. 2. The fact that the level of that portion of the city of Galveston above described is so far below the established grade as to be dangerous to the health and safety of the inhabitants of the city; and the further fact that the dredging company now engaged in filling the western portion of the city has nearly completed its contract and expects within a short time to remove its plant from the city, in which event it would be impossible to do this filling, as the cost would be prohibitive, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule which requires that bills shall be read on three several days, and the rule is suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted."

Also amend the caption so that hereafter it shall read as follows:

"An Act to amend the charter of the city of Galveston by adding thereto Sections 71f and 71g, authorizing the Board of Commissioners of the city of Galveston to issue the bonds of said city of Galveston to the amount of \$125,000, payable not more than fifty years after their date, and bearing interest payable semi-annually at a rate of not to exceed 5 per cent per annum, said bonds not to be sold or otherwise disposed of at less than par, and their proceeds to be used and expended exclusively for raising and filling to grade, the avenues, streets, sidewalks, alleys, lots and blocks in said city of Galveston, situated between Thirty-third Street and Forty-fifth Street and Broadway

and Avenue H, and declaring an emergency."

MASTERSON,  
ADAMS,  
HUDSPETH,  
ALEXANDER,  
REAL.

On the part of the Senate.

JOHNSON,  
MOLLER,  
STAMPS,  
MUNSON,  
BROOKRESON,

On the part of the House.

On motion of Senator Masterson, the report was adopted by the following vote:

Yeas—27.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	

Absent.

Hume. Thomas.  
Terrell of McLennan Willacy.

Senator Masterson moved to reconsider the vote by which the report was adopted, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 240.

On motion of Senator Mayfield, the special order of business (Senate bill No. 218) was suspended, and the Senate took up, out of its order, Senate bill No. 240, by the following vote:

Yeas—27.

Adams.	Masterson.
Alexander.	Mayfield.
Brachfield.	Meachum.
Bryan.	Murray.
Cofer.	Paulus.
Greer.	Peeler.
Harper.	Perkins.
Hayter.	Real.
Holsey.	Senter.
Hudspeth.	Stokes.
Kellie.	Sturgeon.



Terrell of Bowie. Watson.  
Veale. Weinert.  
Ward.

Absent.

Hume. Thomas.  
Terrell of McLennan. Willacy.

The Chair laid before the Senate, on second reading,

Senate bill No. 240, A bill to be entitled "An Act defining what shall be a full crew on passenger trains, run by railroad companies or receivers of railroad companies, doing business in this State; what shall be a full crew on freight, gravel or construction trains, run by such railroad companies or receivers, and what shall be a full crew on light engines run by such railroad companies or receivers; providing for certain cases to which the act shall not apply, rendering it unlawful for any such railroad company or receiver to run any train or light engine, subject to this act, without, in each instance, having the full crew required, imposing a penalty for each violation by any railroad company or receiver of any of the provisions of the act; prescribing the venue of suits to recover penalties for violations of this act and the officers by whom the suits shall be brought, and declaring an emergency."

The bill was read second time, and

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill on page 2 by adding at the end of Section 4 a new section, to be numbered Section 4a, which shall read as follows:

"The provisions of this act shall not apply to or include any railroad company, or receiver, or manager thereof, of any line of railroad in this State less than fifty miles in length."

Bill read second time, and ordered engrossed.

On motion of Senator Mayfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams.	Holsey.
Alexander.	Hudspeth.
Brachfield.	Kellie.
Bryan.	Masterson.
Cofer.	Mayfield.
Greer.	Meachum.
Harper.	Murray.
Hayter.	Paulus.

Peeler. Terrell of Bowie.  
Perkins. Veale.  
Real. Watson.  
Stokes. Weinert.  
Sturgeon.

Absent.

Hume. Thomas.  
Senter. Ward.  
Terrell of McLennan. Willacy.

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Mayfield.
Alexander.	Meachum.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Real.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Veale.
Kellie.	Watson.
Masterson.	Weinert.

Absent.

Hume. Thomas.  
Murray. Ward.  
Senter. Willacy.  
Terrell of McLennan.

Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SIMPLE RESOLUTION.

By Senator Weinert:

Resolved, That the President of the Senate be, and is, hereby authorized to contract for the painting of a life size picture of Alonzo Steele, the last survivor of the battle of San Jacinto, in lieu of a bust picture, as heretofore ordered at the same price.

The resolution was read and adopted.

#### SENATE BILL NO. 5.

On motion of Senator Hudspeth, the pending order of business (Senate bill No. 218) was suspended, and the Senate took up, out of its order, Senate bill No. 5, by the following vote:

Yeas—21.

Adams.	Bryan.
Alexander.	Cofer.

Harper.	Peeler.
Hayter.	Perkins.
Holsey.	Real.
Hudspeth.	Stokes.
Kellie.	Sturgeon.
Masterson.	Veale.
Mayfield.	Watson.
Meachum.	Weinert.
Paulus.	

Nays—2.

Brachfield.	Greer.
	Absent.
Hume.	Terrell of McLennan.
Murray.	Thomas.
Senter.	Ward.
Terrell of Bowie.	Willacy.

(President Pro Tem. Terrell in the chair.)

The Chair laid before the Senate, on second reading,

Senate bill No. 5, A bill to be entitled "An Act for the protection of stock raisers, farmers and horticulturists; providing for the destruction of wolves and other wild animals; to make an appropriation therefor; to repeal all laws and parts of laws in conflict therewith."

The bill was read second time, and

The committee report, with amendments, was adopted, on motion of Senator Hudspeth.

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill by striking out "\$150,000," in lines 11 and 12, Section 5, page 2, and insert in lieu thereof "\$100,000."

Senator Brachfield offered the following amendment:

Amend by adding to Section 1 the following:

"Provided, That the county where the animal is killed shall pay one-half of the amount herein specified, and the remaining one-half shall be paid by the State."

Senator Hudspeth moved to table the amendment, which motion prevailed, by the following vote:

Yeas—20.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Hayter.	Senter.
Hudspeth.	Stokes.
Kellie.	Terrell of Bowie.
Masterson.	Veale.
Mayfield.	Ward.
Murray.	Watson.
Paulus.	Weinert.

Nays—5.

Brachfield.	Holsey.
Greer.	Sturgeon.
Harper.	

Absent.

Meachum.	Thomas.
Terrell of McLennan.	Willacy.

PAIRED.

Senator Cofer (present), who would vote "nay," with Senator Hume (absent), who would vote "yea."

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage, by the following vote:

Yeas—22.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Hudspeth.	Terrell of Bowie.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Murray.	Weinert.

Nays—3.

Greer.	Sturgeon.
Holsey.	

Absent.

Hume.	Terrell of McLennan.
Meachum.	Thomas.

PAIRED.

Senator Brachfield (present), who would vote "nay," with Senator Willacy (absent), who would vote "yea."

The bill was read third time, and passed by the following vote:

Yeas—21.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Harper.	Senter.
Hayter.	Stokes.
Hudspeth.	Terrell of Bowie.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Nays—3.

Greer. Sturgeon.  
Holsey.

## Absent.

Meachum. Thomas.  
Terrell of McLennan.

## PAIRED.

Senator Brachfield (present), who would vote "nay," with Senator Willacy (absent), who would vote "yea."

Senator Cofer (present), who would vote "nay," with Senator Hume (absent), who would vote "yea."

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants the request of the Senate for a Free Conference Committee on Senate bill No. 129, and the following has been appointed on the part of the House: Messrs. Crockett of Mitchell, Cureton, Crisp, Lee, McCallum.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

INVITATION TO VISIT THE HOUSE  
—ACCEPTANCE OF.

Here Senator Holsey called up from the table the invitation from the House of Representatives to sit with that body in joint session tonight at 8 o'clock on account of an entertainment as a partial celebration of Texas Independence Day.

Senator Holsey moved that the invitation be accepted and when the Senate recesses it meet back at 8 o'clock tonight for the purpose of participating in the services held in that body.

Senator Senter moved, as a substitute, that the Senate proceed with the regular order, Senate bill No. 218.

The substitute motion was lost by the following vote:

## Yeas—11.

Harper. Masterson.  
Hudspeth. Murray.

Real. Veale.  
Senter. Ward.  
Sturgeon. Watson.  
Terrell of Bowie.

## Nays—14.

Adams. Holsey.  
Alexander. Mayfield.  
Brachfield. Peeler.  
Bryan. Perkins.  
Cofer. Stokes.  
Greer. Thomas.  
Hayter. Weinert.

## Absent.

Hume. Paulus.  
Kellie. Terrell of McLennan  
Meachum. Willacy.

Action recurred on the motion of Senator Holsey, and the same was adopted.

## SENATE BILL NO. 218.

The Chair laid before the Senate, as special order, and on second reading,

Senate bill No. 218, A bill to be entitled "An Act to better define and punish vagrancy, prescribing the rules of procedure in the prosecution of vagrants, and fixing a punishment for vagrancy, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill, Section 1, page 2, line 16, by striking out the words "or family" and substituting therefor the words "or child or children," and by substituting for the words "her or them" in the succeeding line 17 the words "such wife or child or children."

SENTER,  
STURGEON.

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill, Section 1, page 1, line 20, after the word "visible" by substituting the word "or" for the word "and."

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill, Section 1, page 1, line 27, by striking out the words "the cities, towns and villages, railroad stations or any other public places in the State," and substituting in lieu thereof the following words: "Any city, town or vil-

lage, or railroad station, or any other public place in this State."

SENTER,  
STURGEON.

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill, Section 1, page 2, line 23, by adding after the words "their wages" the following words: "Being without other means of support."

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill, Section 1, page 2, by substituting for Subdivision "q" the following:

"q. All persons who advertise and maintain themselves in whole or in part as clairvoyants or foretellers of future events, or as having supernatural knowledge with respect to present or future venditions, transactions, happenings or events."

SENTER,  
STURGEON.

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill, Section 1, page 2, by adding to said section a new subdivision following Subdivision "q," to be designated as Subdivision "r" and reading as follows: "r. All male persons who habitually associate with prostitutes, or habitually loiter in or around houses of prostitution, or who, without having visible means of support, receive financial aid or assistance from prostitutes."

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill by striking out Sections 5, 6, 7, 8 and 10, and renumbering all of the sections in accordance with this and other amendments which have been adopted.

SENTER,  
STURGEON.

Senator Senter offered the following amendment, which was read and adopted:

Amend Section 11, page 5, line 22, by striking out the words "this act is cumulative of laws already existing on the subject of vagrancy."

SENTER,  
STURGEON.

Senator Senter offered the following amendment, which was read and adopted:

Amend the bill, Section 12, page 5, line 26, by inserting after the word "creates" the words "an emergency and," and line 28, same page and section, by inserting after the word "suspended" the words "and the same is hereby suspended."

SENTER,  
STURGEON.

Senator Sturgeon offered the following amendment, which was read and adopted:

Amend the bill, page 4, by striking out all of Section 5.

SENTER,  
STURGEON.

Senator Sturgeon offered the following amendment, which was read and adopted:

Amend the bill, Section 2, page 3, line 6, by striking out the words "whom they have good reasons to suspect as being vagrants" and substitute in lieu thereof the words "upon information."

SENTER,  
STURGEON.

Senator Sturgeon offered the following amendment, which was read and adopted:

Amend the bill, Section 4, by striking out, beginning after the word "before," in line 17, on page 3, the remainder of line 17, and of said section, and inserting in lieu thereof the following words: "Before any court having jurisdiction of the offense herein named, and upon conviction thereof shall be fined in any sum not to exceed fifty dollars and may be imprisoned in jail not to exceed thirty days."

SENTER,  
STURGEON.

Senator Cofer offered the following amendment:

Amend by adding two subdivisions to be known as Subdivisions (s) and (t) on page 2:

"(s) Any person who sells intoxicating liquors in local option districts.

"(t) Any person who solicits orders for intoxicating liquors in local option districts."

Pending.

RECESS.

On motion of Senator Terrell of McLennan the Senate, at 7 o'clock p. m., recessed until 8 o'clock tonight.

## AFTER RECESS—NIGHT SESSION.

The Senate was called to order by President Pro Tem. Terrell.

Senator Cofer moved that the Senate repair to the House of Representatives in a body, in accordance with the invitation accepted.

The motion prevailed.

Pending discussion on as to whether or not a quorum was present, Senator Meachum moved a call of the Senate for the purpose of securing a quorum.

The roll was called, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Stokes.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Thomas.
Kellie.	Ward.
Mayfield.	Weinert.
Meachum.	

Absent.

Harper.	Senter.
Hume.	Veale.
Masterson.	Watson.
Peeler.	Willacy.

When the roll was first called there was no quorum, but pending a short delay enough Senators arrived to complete the quorum.

The Senate then repaired in a body to the House for the purpose of participating in the entertainment.

## IN JOINT SESSION.

At 8 o'clock p. m. the Honorable Senate of Texas was announced at the bar of the House, and accompanied by Sergeant-at-Arms M. F. Hornbuckle and Assistant Secretary J. R. Waties, the Senators advanced into the Hall and occupied seats along the aisle already prepared for them.

Hon. A. B. Davidson, President of the Senate, was invited to a seat on the rostrum, on the left of the Speaker.

The Assistant Secretary of the Senate was then directed by the President of the Senate to call the roll of the Senate, and the following Senators answered to their names:

Adams, Alexander, Brachfield, Bryan, Cofer, Greer, Hayter, Holsey, Hudspeth, Kellie, Mayfield, Meachum, Murray, Paulus, Peeler, Perkins, Real, Stokes,

Sturgeon, Terrell of Bowie, Terrell of McLennan, Thomas, Ward, Watson, Weinert.

Senators present, 25.

Necessary to a quorum, 21.

The President of the Senate announced a quorum of the Senate present.

The Chair then directed the Clerk to call the roll of the House, and the following members answered to their names:

Adams, Anderson, Aston, Baker of Hood, Baker of Panola, Ballengee, Barrett, Bartlett, Bierschwale, Bogard, Boswell, Bowles, Bowman, Branch, Briscoe, Brookreson, Brooks, Brookshire, Brown, Brownlee, Byrne, Cable, Canales, Caves, Chaney, Cox, Craven, Crawford, Crisp, Crockett of Mitchell, Crockett of Washington, Cureton, Currey, Dalby, Davis, Dotson, Driggers, Elliott, Fuller, Gaines, German, Giesen, Goodman, Graham, Hamilton of Childress, Hamilton of McCulloch, Harman, Haxthausen, Hill, Horger, Jackson, Jenkins, Jennings, Johnson, Keeble, Lawson, Lee, Lively, Luce, Maddox, Mason, Maxwell, McCallum, McDonald, McGown, Meeks, Mobley, Moller, Morris, Munson, Nelson of Hopkins, Nelson of Kaufman, Nickels, O'Bryan, O'Bryant, Odom, Pearson, Perkins, Pharr, Porter, Rabb, Ralston, Ray, Rayburn, Reedy, Reid, Ridgway, Schluter, Schofield, Self, Stamps, Standifer, Stead, Stephenson, Stepter, Stratton, Strickland, Terrell of Bexar, Terrell of Cherokee, Turner, Turney, Vaughan, Von Rosenberg, Wahrmond, Westbrook, Wilson, Wortham.

Present, 109.

Necessary to a quorum, 89.

The Chair announced a quorum of the House present.

Accompanied by the committee, the party, including Gov. T. M. Campbell, Hon. A. W. Terrell, Rev. Arthur F. Bishop, President S. E. Mezes of the University of Texas, Prof. E. C. Barker and Col. Alphonso Steele, advanced in the Hall and were escorted to the Speaker's stand, where they were invited to seats.

The program arranged by the committee to commemorate the anniversary of Texas independence was then carried out, as follows:

Invocation.....Rev. Arthur F. Bishop  
Address.....Hon. Alfonso Steele  
Music.....University Orchestra.  
Introductory remarks—

Gov. T. M. Campbell  
Address.....Hon. A. W. Terrell

Music.....University Orchestra.  
 Paper, "Stephen F. Austin, and the  
 Independence of Texas"—  
 Prof. E. C. Barker

Kellie.  
 Peeler.  
 Real.  
 Senter.  
 Terrell of Bowie.

Terrell of McLennan.  
 Veale.  
 Ward.  
 Watson.  
 Weinert.

### SENATE RETIRES.

The exercises being completed,  
 On motion of Senator Hudspeth, the  
 Senate, at 10:35 p. m., retired to its  
 Chamber.

### IN THE SENATE.

The Senate returned to the Senate  
 Chamber at 10:40 o'clock and was called  
 to order by Lieutenant Governor David-  
 son.

### SENATE BILL NO. 218.

Action recurred on Senate bill No.  
 218, which was unfinished business.

Senator Peeler moved that the Senate  
 adjourn until tomorrow morning at 10  
 o'clock.

On the above motion the yeas and  
 nays were called for, and the roll call  
 developed no quorum voting, the follow-  
 ing answering to their names:

#### Yeas—8.

Brachfield.	Peeler.
Greer.	Real.
Harper.	Terrell of McLennan.
Kellie.	Weinert.

#### Nays—11.

Adams.	Hudspeth.
Alexander.	Senter.
Bryan.	Terrell of Bowie.
Cofer.	Veale.
Hayter.	Ward.
Holsey.	

#### Absent.

Hume.	Perkins.
Masterson.	Stokes.
Mayfield.	Sturgeon.
Meachum.	Thomas.
Murray.	Watson.
Paulus.	Willacy.

Senator Watson moved a call of the  
 Senate for the purpose of securing a  
 quorum.

The roll was called, the following an-  
 swering to their names:

Adams.	Greer.
Alexander.	Harper.
Brachfield.	Hayter.
Bryan.	Holsey.
Cofer.	Hudspeth.

#### Absent.

Hume.	Perkins.
Masterson.	Stokes.
Mayfield.	Sturgeon.
Meachum.	Thomas.
Murray.	Willacy.
Paulus.	

The Sergeant-at-Arms was instructed  
 to bring in the absentees, on motion of  
 Senator Brachfield.

Pending delay, Senator Murray was  
 announced at the bar of the Senate,  
 which completed a quorum, and the Sen-  
 ate proceeded to business.

(Senator Harper in the chair.)

The roll was called, a quorum present,  
 the following Senators answering to  
 their names:

Adams.	Mayfield.
Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Real.
Cofer.	Senter.
Greer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Hayter.	Veale.
Holsey.	Ward.
Hudspeth.	Watson.
Kellie.	Weinert.

#### Absent.

Hume.	Stokes.
Masterson.	Sturgeon.
Meachum.	Thomas.
Paulus.	Willacy.
Perkins.	

(Lieutenant Governor Davidson in the  
 chair.)

### CONSIDERATION OF LOCAL BILLS.

In accordance with the resolution  
 adopted today, the Senate proceeded to  
 the consideration of local bills. Each  
 Senator's name was called in alphabet-  
 ical order and that Senator was allowed  
 to call up any local bill he so desired.  
 In the case of the absence of a Senator,  
 or when a Senator had no bill he de-  
 sired to call up, his name was passed.

(Senator Harper in the chair.)

### SENATE BILL NO. 215.

Senator Adams called up Senate bill  
 No. 215.

The Chair laid before the Senate, on its second reading,

Senate bill No. 215, A bill to be entitled "An Act to amend Sections 19. and 24 of an act passed by the Twenty-ninth Legislature, Chapter 47, General Laws, entitled 'An Act creating an independent school district to be known as the Ballinger Independent School District, including within its limits the municipal corporation of the town of Ballinger, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board,' and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Adams, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Terrell of Bowie.
Greer.	Terrell of
Harper.	McLennan.
Hayter.	Veale.
Holsey.	Ward.
Hudspeth.	Watson.
Kellie.	Weinert.
Mayfield.	

Nays—1.

Murray.

Absent.

Hume.	Stokes.
Masterson.	Sturgeon.
Meachum.	Thomas.
Paulus.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—21.

Adams.	Brachfield.
Alexander.	Bryan.

Cofer.	Real.
Greer.	Senter.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Peeler.	

Present—Not Voting.

Murray.

Absent.

Hume.	Stokes.
Masterson.	Sturgeon.
Meachum.	Thomas.
Paulus.	Willacy.
Perkins.	

Senator Adams moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 323.

The Chair laid before the Senate, on its second reading, on motion of Senator Alexander,

House bill No. 323, A bill to be entitled "An Act to repeal Chapter 31 of the local and special laws of the Thirtieth Legislature of Texas, creating a special road system for Williamson county, Texas, and approved March 20, 1907, and to create a more efficient road system for Williamson county, Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for the compensation of such road commissioners; and providing for the condemnation of material for the construction and maintenance of public roads, and to provide for the compensation for such material; and providing for the working of county convicts on the public roads, and the purchase of supplies for convicts, and rewards for the capture of escaped county convicts, and for commutation of sentence for faithful service and good behavior; and providing that every person liable for road duty shall pay a \$4.00 road tax, exempting such person from road duty from such year for which said taxes were paid; and providing for the summoning and working of all parties liable for road duty on the public roads who have not paid such road tax, and permitting substitution and payment of money in lieu of such service, and fixing allowance of time for service of hands and teams on such public road; and fixing penalties for violation of same;

and providing further, making this act cumulative of the general laws now in force, and repealing all laws in conflict with this act, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Mayfield.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Terrell of Bowie.
Greer.	Terrell of McLennan.
Harper.	Veale.
Hayter.	Ward.
Holsey.	Watson.
Hudspeth.	Weinert.
Kellie.	

Present—Not Voting.

Murray.

Absent.

Hume.	Stokes.
Masterson.	Sturgeon.
Meachum.	Thomas.
Paulus.	Willacy.
Perkins.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Adams.	Mayfield.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Terrell of Bowie.
Greer.	Terrell of McLennan.
Harper.	Veale.
Hayter.	Ward.
Holsey.	Watson.
Hudspeth.	Weinert.
Kellie.	

Present—Not Voting.

Murray.

Absent.

Hume.	Stokes.
Masterson.	Sturgeon.
Meachum.	Thomas.
Paulus.	Willacy.
Perkins.	

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 386.

The Chair laid before the Senate, on its second reading, on motion of Senator Brachfield,

House bill No. 386, A bill to be entitled "An Act incorporating the Longview Independent School District in Gregg county, Texas, for free school purposes only; defining its boundaries and providing for a board of trustees; divesting the city of Longview of the control of its public schools and title to school property and vesting the same in said Longview Independent School District and its board of trustees; prescribing the rights, powers, privileges and duties of said Longview Independent School District and its board of trustees, and declaring an emergency."

On motion of Senator Brachfield, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report) by the following vote:

Yeas—21.

Adams.	Mayfield.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Terrell of Bowie.
Greer.	Terrell of McLennan.
Harper.	Veale.
Hayter.	Ward.
Holsey.	Watson.
Hudspeth.	Weinert.
Kellie.	

Present—Not Voting.

Murray.

Absent.

Hume.	Stokes.
Masterson.	Sturgeon.
Meachum.	Thomas.
Paulus.	Willacy.
Perkins.	

On motion of Senator Brachfield, the committee report, which provided that the bill be not printed, was adopted.

(Lieutenant Governor Davidson in the chair.)

Bill read second time, and passed to a third reading.

On motion of Senator Brachfield, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Brachfield.
Alexander.	Bryan.



Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of
Hudspeth.	McLennan.
Kellie.	Veale.
Mayfield.	Ward.
Peeler.	Watson.
Real.	Weinert.

Present—Not Voting.

Murray.

Absent.

Hume.	Perkins.
Masterson.	Thomas.
Meachum.	Willacy.
Paulus.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Thomas.
Meachum.	Willacy.
Paulus.	

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 304.

The Chair laid before the Senate, on its second reading, on motion of Senator Bryan,

House bill No. 304, A bill to be entitled "An Act to create a road commission for Jones county, etc., and declaring an emergency."

On motion of Senator Bryan, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Bryan, the constitutional rule requiring bills to be read

on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Thomas.
Meachum.	Willacy.
Paulus.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Thomas.
Meachum.	Willacy.
Paulus.	

Senator Bryan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(President Pro Tem. Terrell in the chair.)

#### HOUSE BILL NO. 231.

The Chair laid before the Senate, on its second reading, on motion of Senator Cofer,

House bill No. 231, A bill to be entitled "An Act creating the Sunflower Independent School District of Grayson county and creating a board of trustees

therefor; authorizing said board to levy and collect taxes and issue bonds for the purpose of purchasing sites for school buildings and erecting and equipping school buildings thereon; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Cofer, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Cofer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Thomas.
Meachum.	Willacy.
Paulus.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Peeler.
Alexander.	Real.
Brachfield.	Senter.
Bryan.	Stokes.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of
Hayter.	McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Murray.	

Absent.

Hume.	Perkins.
Masterson.	Thomas.
Meachum.	Willacy.
Paulus.	

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 188.

The Chair laid before the Senate, on its second reading, on motion of Senator Harper,

Senate bill No. 188, A bill to be entitled "An Act to incorporate McLean Independent School District, to provide for election of officers, the issuance of bonds, etc., and declaring an emergency."

On motion of Senator Harper, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Thomas.
Meachum.	Willacy.
Paulus.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Meachum.
Masterson.	Paulus.

Perkins.  
Thomas.

Willacy.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 283.

The Chair laid before the Senate, on its second reading, on motion of Senator Hayter,

House bill No. 283, A bill to be entitled "An Act to create a more efficient road system for Lampasas county, Texas."

On motion of Senator Hayter, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Hayter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Peeler.
Alexander.	Real.
Brachfield.	Senter.
Bryan.	Stokes.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Hayter.	Veale.
Holsey.	Ward.
Hudspeth.	Watson.
Kellie.	Weinert.
Murray.	

Absent.

Hume.	Paulus.
Masterson.	Perkins.
Mayfield.	Thomas.
Meachum.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Real.
Brachfield.	Senter.
Bryan.	Stokes.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Hayter.	Thomas.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Murray.	

Absent.

Hume.  
Masterson.  
Meachum.

Paulus.  
Perkins.  
Willacy.

Senator Hayter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 273.

The Chair laid before the Senate, on its second reading, on motion of Senator Greer, who had been passed,

Senate bill No. 273, A bill to be entitled "An Act creating an independent school district for free school purposes only, in the county of Johnson, to be known as the Grandview Independent School District, and to have all the rights, powers and duties of independent school districts, formed by the incorporation of towns and villages for free school purposes only, and declaring an emergency."

On motion of Senator Greer, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Willacy.
Meachum.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Adams.	Brachfield.
Alexander.	Bryan.

Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Mayfield.	Veale.
Murray.	Ward.
Paulus.	Watson.
Peeler.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Willacy.
Meachum.	

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 357.

Here Senator Holsey called up House bill No. 357, which had been recalled from the House for correction.

Senator Holsey moved to rescind all former action on the bill.

The motion prevailed.

The Chair laid before the Senate, on second reading,

House bill No. 357, A bill to be entitled "An Act to amend an act of the Twenty-eighth Legislature of the State of Texas, entitled 'An Act to incorporate the city of Corsicana, in Navarro county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs,' and amended by Chapter 39 of the Special Laws of the Thirtieth Legislature of the State of Texas, by amending Sections 5, 24, 25, 27, 34, 35, 36, 37, 40, 41, 42, 44, 45, 48, 113, 116, 124, 135, 147, 172, 181, 182, 185, 230 and 240, and by repealing Sections 26, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292 and 293 thereof, so as to abolish the board of commissioners therein provided for, and confer upon the city powers, rights and authority therein conferred upon said board of commissioners, and declaring an emergency."

Senator Holsey offered the following amendment, which was read and adopted:

Amend House bill No. 357, page 17, Section 3, line 7, by striking out the following: "The first day of April, 1909," and insert in lieu thereof "the 10th day of April, 1909."

Bill read second time, and passed to a third reading.

On motion of Senator Holsey, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Thomas.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Murray.	

Absent.

Hume.	Perkins.
Masterson.	Terrell of McLennan.
Meachum.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of
Hayter.	McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Stokes.
Meachum.	Ward.
Paulus.	Willacy.

Senator Holsey moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 285.

The Chair laid before the Senate, on its second reading, on motion of Senator Hudspeth,

Senate bill No. 285, A bill to be entitled "An Act to create a more efficient road system for Val Verde county, Texas."

On motion of Senator Hudspeth, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Willacy.
Meachum.	

The bill was read third time, and passed by the following vote:

Yeas—25.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Hayter.	Thomas.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Murray.	

Absent.

Hume.	Perkins.
Masterson.	Stokes.
Meachum.	Willacy.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 274.

The Chair laid before the Senate, on its second reading, on motion of Senator Kellie,

Senate bill No. 274, A bill to be entitled "An Act providing for a special road law for the county of Jasper, creating the office of superintendent of public roads and bridges; defining his powers and duties; defining the powers and duties of road overseers; defining what persons are subject to work upon the public roads; providing proper penalties for violation of this act, and declaring an emergency."

On motion of Senator Kellie, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Kellie, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.

Absent.

Hume.	Perkins.
Masterson.	Willacy.
Meachum.	

(Senator Brachfield in the chair.)

The bill was read third time, and passed by the following vote:

Yeas—25.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of McLennan.
Hayter.	Thomas.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Murray.	

Absent.

Hume.	Masterson.
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Meachum.  
Perkins.

Terrell of Bowie.  
Willacy.

Senator Kellie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 197.

The Chair laid before the Senate, on its second reading, on motion of Senator Paulus,

Senate bill No. 197, A bill to be entitled "An Act to amend Section 14 of Chapter 49 of the General Laws of the Twenty-seventh Legislature, said chapter being entitled 'An Act to create a more efficient road system for Fayette, Uvalde and Frio counties, Texas,' providing the manner in which the road and bridge fund of said counties shall be expended, and declaring an emergency."

On motion of Senator Paulus, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Paulus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

#### Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.

#### Absent.

Hume.	Perkins.
Masterson.	Willacy.
Meachum.	

(President Pro Tem. Terrell in the chair.)

The bill was read third time, and passed by the following vote:

#### Yeas—25.

Adams.	Bryan.
Alexander.	Cofer.
Brachfield.	Greer.

Harper.  
Hayter.  
Holsey.  
Hudspeth.  
Kellie.  
Mayfield.  
Murray.  
Paulus.  
Peeler.  
Real.

Senter.  
Stokes.  
Sturgeon.  
Terrell of Bowie.  
Terrell of McLennan.  
Veale.  
Ward.  
Watson.  
Weinert.

#### Absent.

Hume.  
Masterson.  
Meachum.

Perkins.  
Thomas.  
Willacy.

Senator Paulus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Senator Hudspeth in the chair.)

#### SENATE BILL NO. 261.

The Chair laid before the Senate, on its second reading, on motion of Senator Peeler,

Senate bill No. 261, A bill to be entitled "An Act to amend Section 2, Article 1, of the Special Laws of Texas, passed at the Regular Session of the Thirty-first Legislature, entitled 'An Act to grant a new charter to the city of Austin, Travis county, Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' approved February 3, 1909."

On motion of Senator Peeler, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Peeler, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

#### Yeas—25.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Thomas.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Murray.	

Absent.

Hume.	Perkins.
Masterson.	Terrell of McLennan.
Meachum.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Thomas.
Kellie.	Veale.
Mayfield.	Watson.
Murray.	Weinert.

Absent.

Hume.	Ward.
Masterson.	Willacy.
Meachum.	

Senator Peeler moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(President Pro Tem. Terrell in the chair.)

#### HOUSE BILL NO. 12.

The Chair laid before the Senate, on its second reading, on motion of Senator Real,

House bill No. 12, A bill to be entitled "An Act to create the county court of Bexar county for civil cases, and to conform to such change the jurisdiction of the county court of Bexar county."

On motion of Senator Real, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.	Harper.
Alexander.	Hayter.
Brachfield.	Holsey.
Bryan.	Hudspeth.
Cofer.	Kellie.
Greer.	Mayfield.

Paulus.	Terrell of Bowie.
Peeler.	Terrell of McLennan.
Perkins.	Thomas.
Real.	Veale.
Senter.	Ward.
Stokes.	Watson.
Sturgeon.	Weinert.

Absent.

Hume.	Murray.
Masterson.	Willacy.
Meachum.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Murray.	Watson.
Paulus.	Weinert.

Absent.

Hume.	Meachum.
Masterson.	Willacy.
Mayfield.	

Senator Real moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 470.

The Chair laid before the Senate, on its second reading, on motion of Senator Senter,

House bill No. 470, A bill to be entitled "An Act incorporating and creating the Seagoville Independent School District of Dallas county, Texas, for free school purposes only; defining its boundaries, and providing for the election of a board of trustees; for the raising of revenue by taxation; issuing of bonds for raising money for building purposes and for maintaining public free schools therein; vesting the property of Seagoville School District in said Seagoville Independent School District, and vesting said district and the board of trustees thereof with all the rights, powers, privileges and duties conferred and imposed by general laws upon inde-

pendent school districts and the board of trustees thereof formed by the incorporation of a town or village for free school purposes only under general law, and declaring an emergency."

On motion of Senator Senter, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report) by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Absent.

Hume.	Meachum.
Masterson.	Willacy.

On motion of Senator Senter, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Senter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Absent.

Hume.	Meachum.
Masterson.	Willacy.

The bill was read third time, and passed by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Absent.

Hume.	Meachum.
Masterson.	Willacy.

Senator Senter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Senator Brachfield in the chair.)

## HOUSE BILL NO. 237.

The Chair laid before the Senate, on its second reading, on motion of Senator Terrell of Bowie,

House bill No. 237, A bill to be entitled "An Act to amend Article 4953, Chapter 3, Title 102, by putting Clay county in the list of counties exempted from the provisions of Articles 4948, 4949, 4950, 4951 and 4952 of Chapter 3, Title 102, relating to the sale, slaughter and shipment of animals, and declaring an emergency."

On motion of Senator Terrell of Bowie, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report) by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	



## Absent.

Hume. Meachum.  
Masterson. Willacy.

On motion of Senator Terrell of Bowie, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Terrell of Bowie, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Absent.

Hume. Meachum.  
Masterson. Willacy.

The bill was read third time, and passed by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Absent.

Hume. Meachum.  
Masterson. Willacy.

Senator Terrell of Bowie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 226.

The Chair laid before the Senate, on its second reading, on motion of Senator Terrell of McLennan,

Senate bill No. 226, A bill to be entitled "An Act to create a more efficient road system for McLennan county, Texas."

On motion of Senator Terrell of McLennan, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Terrell of McLennan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Absent.

Hume. Meachum.  
Masterson. Willacy.

The bill was read third time, and passed by the following vote:

## Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

## Absent.

Hume. Meachum.  
Masterson. Willacy.

Senator Terrell of McLennan moved to reconsider the vote by which the bill

was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 14.

The Chair laid before the Senate, on second reading, on motion of Senator Veale,

Senate bill No. 14, A bill to be entitled "An Act to abolish the Higgins Independent School District and to incorporate an independent school district to be known as the 'Higgins Independent School District.'"

On motion of Senator Veale, the committee report, which provided that the bill be not printed, was adopted.

Senator Veale offered the following amendment, which was read and adopted:

Amend the bill by striking out all after the words "A bill to be entitled 'An Act to abolish the Higgins Independent School District created under the General Laws of the State of Texas, and to incorporate the Higgins Independent School District; to be within certain boundaries at and surrounding the town of Higgins in Lipscomb county, with the powers, rights and privileges of independent school districts; to elect trustees, issue bonds, and declaring an emergency.'"

Bill read second time, and ordered engrossed.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage, by the following vote:

Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.

Absent.

Hume.	Thomas.
Masterson.	Willacy.
Meachum.	

The bill was read third time, and passed, by the following vote:

Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

Absent.

Hume.	Meachum.
Masterson.	Willacy.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 7.

The Chair laid before the Senate, on motion of Senator Ward,

Senate Concurrent Resolution No. 7, Granting leave of absence to the judge of the Fortieth Judicial District of Texas.

The resolution was read, and adopted.

Senator Ward moved to reconsider the vote by which the resolution was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 217.

The Chair laid before the Senate, on second reading, on motion of Senator Watson,

Senate bill No. 217, A bill to be entitled "An Act changing and fixing the time of holding the courts in the Sixty-third Judicial District of Texas."

On motion of Senator Watson, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

Here Senator Watson moved to reconsider the vote by which the bill was ordered engrossed, which motion prevailed.

Senator Hudspeth offered the follow-

ing amendment, which was read and adopted:

Amend the bill by adding an additional Section, to read as follows:

"The crowded condition of the docket in the Sixty-third District and the crowded condition of the calendar, creates an emergency and an imperative public necessity for the suspension of the constitutional rule requiring bills to be read on three several days, and this act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time, and ordered engrossed.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage, by the following vote:

Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

Absent.

Hume.	Meachum.
Masterson.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	

Absent.

Hume.	Meachum.
Masterson.	Willacy.

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

### CONCURRENT RESOLUTION SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign in the presence of the Senate, after its caption had been read, the following concurrent resolution:

House Concurrent Resolution No. 9, Requesting the Governor to return House bill No. 152 to the House for correction.

### RECESS.

Here Senator Weinert's name was called, and he desired to call up Senate bill No. 287, which was a general bill in its nature.

Senator Greer raised the point of order that the session tonight was for the consideration of local bills only.

The point of order was sustained, but pending discussion Senator Greer withdrew his objection.

Senator Terrell of Bowie raised the same point of order, which was sustained.

Senator Watson moved to rescind the vote by which the Senate adopted the resolution providing for night sessions to consider local bills.

Pending discussion on the motion,

Senator Sturgeon moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Murray moved that the Senate adjourn until 2:30 o'clock tomorrow.

The motion to adjourn until 2:30 tomorrow was lost by the following vote:

Yeas—9.

Brachfield.	Sturgeon.
Bryan.	Terrell of Bowie.
Greer.	Terrell of McLennan.
Murray.	Thomas.
Stokes.	

Nays—18.

Adams.	Paulus.
Alexander.	Peeler.
Cofer.	Perkins.
Harper.	Real.
Hayter.	Senter.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

## Absent.

Hume. Meachum.  
Masterson. Willacy.

Action recurred on the motion to adjourn until 10 o'clock tomorrow, and

Senator Murray moved that the Senate adjourn until 2:15 o'clock tomorrow, which motion was lost by the following vote:

## Yeas—7.

Brachfield. Terrell of Bowie.  
Bryan. Terrell of McLennan.  
Greer. Thomas.  
Murray.

## Nays—20.

Adams. Peeler.  
Alexander. Perkins.  
Cofer. Real.  
Harper. Senter.  
Hayter. Stokes.  
Holsey. Sturgeon.  
Hudspeth. Veale.  
Kellie. Ward.  
Mayfield. Watson.  
Paulus. Weinert.

## Absent.

Hume. Meachum.  
Masterson. Willacy.

Senator Sturgeon withdrew his motion to adjourn until 10 o'clock tomorrow morning.

Senator Terrell of Bowie moved that the Senate adjourn until 10:30 o'clock tomorrow morning, and

Senator Murray moved that the Senate adjourn until 2:10 o'clock tomorrow morning.

Action being on Senator Murray's motion first, the same was lost by the following vote:

## Yeas—7.

Brachfield. Terrell of Bowie.  
Bryan. Terrell of McLennan.  
Greer. Thomas.  
Murray.

## Nays—20.

Adams. Peeler.  
Alexander. Perkins.  
Cofer. Real.  
Harper. Senter.  
Hayter. Stokes.  
Holsey. Sturgeon.  
Hudspeth. Veale.  
Kellie. Ward.  
Mayfield. Watson.  
Paulus. Weinert.

## Absent.

Hume. Meachum.  
Masterson. Willacy.

(President Pro Tem. Terrell of Bowie in the chair.)

Action recurred on the motion to adjourn until 10:30 o'clock tomorrow morning.

Senator Harper made the point of order that the motions to adjourn were made for delay.

The point of order was overruled.

Senator Alexander made the point of order that there had been no business transacted between the motions to adjourn.

The Chair (President Pro Tem. Terrell) overruled the point of order.

Here Senator Brachfield raised the point of order that there was a quorum present, and that the call of the Senate, which was for the purpose of securing a quorum was dissolved.

The Chair sustained the point of order.

Senator Hudspeth here moved a call of the Senate for the purpose of securing a quorum.

The roll was called, the following Senators answering to their names:

Adams.	Perkins.
Alexander.	Real.
Cofer.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Paulus.	Weinert.
Peeler.	

## Absent.

Brachfield.	Meachum.
Bryan.	Murray.
Greer.	Stokes.
Hume.	Thomas.
Masterson.	Willacy.

The roll call showed a quorum present.

Pending discussion,

Senator Watson moved a call of the Senate for the purpose of securing and maintaining a quorum.

The roll was called, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Terrell of Bowie.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Brachfield.	Stokes.
Greer.	Sturgeon.
Hume.	Terrell of McLennan.
Masterson.	Thomas.
Meachum.	Willacy.
Murray.	

There being no quorum present, the Sergeant-at-Arms was instructed to bring in the absentees.

Pending a short delay.

Senator Holsey moved that the Senate recess until 10 o'clock tomorrow.

Senator Watson moved, as a substitute, that the Senate recess until 2:30 o'clock tomorrow.

The substitute motion was adopted, and the Senate, at 1:45 o'clock, recessed until 2:30 o'clock today.

#### AFTER RECESS—DAY SESSION.

The Senate was called to order by President Pro Tem. Terrell.

#### SENATE BILL NO. 287.

Action recurred on the motion by Senator Weinert, to suspend the regular order of business, and take up, out of its order, Senate bill No. 287.

The motion prevailed by the following vote:

Yeas—23.

Adams.	Perkins.
Alexander.	Real.
Brachfield.	Stokes.
Bryan.	Sturgeon.
Cofer.	Terrell of Bowie.
Greer.	Terrell of McLennan.
Harper.	Veale.
Hayter.	Ward.
Holsey.	Watson.
Hudspeth.	Weinert.
Masterson.	Willacy.
Peeler.	

Absent.

Hume.	Murray.
Kellie.	Paulus.
Mayfield.	Senter.
Meachum.	Thomas.

The Chair laid before the Senate, on second reading,

Senate bill No. 287, A bill to be entitled "An Act to appropriate out of the general revenue of the State of Texas the sum of \$5000 for the purpose of having erected a monument on the public square at Gonzales, Texas, the birthplace of Texas independence, and dedi-

cated to the memory of those who made this spot historic in the first battle of the Texas Revolution, and the further sum of \$200 to defray the expense of properly executing the purpose of this act, and declaring an emergency."

On motion of Senator Weinert, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Stokes.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Hayter.	Veale.
Holsey.	Ward.
Hudspeth.	Watson.
Kellie.	Weinert.
Masterson.	Willacy.
Paulus.	

Absent.

Hume.	Murray.
Mayfield.	Senter.
Meachum.	Thomas.

On motion of Senator Weinert, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Stokes.
Cofer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Paulus.	Willacy.

Absent.

Greer.	Murray.
Hume.	Senter.
Mayfield.	Thomas.
Meachum.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Stokes.
Cofer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Paulus.	Willacy.

Absent.

Greer.	Murray.
Hume.	Senter.
Mayfield.	Thomas.
Meachum.	

Senator Weinert moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

EXCUSED.

Senator Willacy for today, on account of business for the State, on motion of Senator Masterson.

ADJOURNMENT.

On motion of Senator Alexander, the Senate, at 2:42 o'clock p. m. today, adjourned until 2:44 o'clock p. m. March 3d.

## APPENDIX.

### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 1, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Mining and Irrigation, to whom was referred

House bill No. 146, A bill to be entitled "An Act to amend Section 21 of an act entitled 'An Act providing for the health and safety of persons in and around mines, and for creating a State Mining Board and the office of State Mining Inspector, and defining the duties of such inspector,' passed by the Thirtieth Legislature of the State of Texas, and approved April 30, 1907, by providing that the salary of the State Mining Inspec-

tor shall be \$2000 per year, and that his traveling expenses shall not in any one year exceed the sum of \$1000, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KELLIE, Acting Chairman.

(Floor Report.)

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Educational Affairs, to whom was referred

House bill No. 286, A bill to be entitled "An Act incorporating the Longview Independent School District in Gregg county, Texas, for free school purposes only; defining its boundaries, and providing for a board of trustees; divesting the city of Longview of the control of its public schools and title to school property and vesting the same in said Longview Independent School District and its board of trustees; prescribing the rights, powers, privileges and duties of said Longview Independent School District and its board of trustees, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Alexander, Chairman; Brachfield, Real, Weinert, Sturgeon, Harper, Meachum.

(Floor Report.)

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Educational Affairs, to whom was referred

House bill No. 470, A bill to be entitled "An Act incorporating and creating the Seagoville Independent School District, of Dallas county, Texas, for free school purposes only, defining its boundaries, and providing for the election of a board of trustees; for the raising of revenue by taxation; issuing of bonds for raising money for building purposes, and for maintaining public free schools therein; vesting the property of Seagoville school district in said Seagoville Independent School District, and vesting said district and the board of trustees thereof with all the rights, powers, privileges and duties conferred and imposed by general laws upon independent

school districts and the board of trustees thereof formed by the incorporation of a town or village for free school purposes only under general law, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Alexander, Chairman; Real, Weinert, Harper, Sturgeon, Brachfield, Bryan.

(Floor Report.)

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Judicial Districts, to whom was referred

Senate bill No. 109, A bill to be entitled "An Act to amend Article 2466, Chapter 3, Title 45, of the Revised Statutes of 1895, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Watson, Chairman; Harper, Ward, Perkins, Paulus, Peeler, Sturgeon.

(Floor Report.)

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on County and County Boundaries, to whom was referred

House bill No. 100, A bill to be entitled "An Act to amend Article 4785a, Title 97, Chapter 6 of the Revised Statutes of the State of Texas, 1895, so as to leave Jack county out of the list of counties exempted,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Perkins, Adams, Bryan, Hayter, Murray.

Committee Room,

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 233, A bill to be entitled "An Act to require insurance companies other than life insurance companies before they shall receive a certificate of

authority to transact business in this State, and requiring all persons, firms or associations before they shall issue or authorize the issuance of any policies of insurance to citizens of this State, to file with the Commissioner of Insurance and Banking a bond, or to deposit securities to secure the payment of all lawful obligations under such policies to citizens of this State, and providing penalties for violations of some of the provisions of this act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendments:

(1)

Amend the bill, Section 1, by inserting the word "fire" before the word "insurance," in the first line of the section, and by striking out of said section the words "other than that of life insurance," in line 3 thereof; and amend the bill by inserting the word "fire" before the word "insurance," in the first line of Section 2 and by striking out of said section the words "other than that of life insurance," in line 3 thereof.

(2)

Amend the bill by striking out of Section 3 "any person, firm or association of persons," and insert in lieu thereof the following: "Every fire insurance company not organized under the laws of this State."

(3)

Add to the end of Section 3 of this bill: "This act shall not apply to any person, firm, unincorporated company or association doing an inter-insurance, corporate or reciprocal insurance business."

(4)

Amend the bill by striking out of the bill "50 per centum" wherever it may occur in the bill, and insert in lieu thereof the following: "25 per cent; provided, however, the bond in no case shall exceed \$50,000."

(5)

Amend the caption of the bill so that it shall hereafter read as follows:

"An Act to require fire insurance companies not organized under the laws of this State, before they shall receive a certificate of authority to transact business in this State, and before they shall issue or authorize the issuance of

any policies of insurance to citizens of this State, to file with the Commissioner of Insurance and Banking a bond or to deposit securities to secure the payment of all lawful obligations under such policies to citizens of this State; exempting from its provisions any person, firm, unincorporated company or association doing an inter-insurance, cooperative or reciprocal insurance business, providing penalties for the violations of this act, and declaring an emergency."

HUDSPETH, Chairman.

(Floor Report.)

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Stock and Stock Raising, to whom was referred

House bill No. 237, A bill to be entitled "An Act to amend Article 4953, Chapter 3, Title 102, by putting Clay county in the list of counties exempted, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Adams, Chairman; Real, Murray, Veale, Alexander, Bryan, Hudspeth.

(Majority Report.)

Committee Room,

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred

Senate bill No. 242, A bill to be entitled "An Act to appropriate out of the general revenues of the State the sum of \$25,000 for the purpose of having erected monuments, markers and tablets on the Chickamauga National Military Park to designate the positions occupied by the soldiers from Texas," etc.,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

WEINERT, Acting Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Finance Committee, to whom was referred

Senate bill No. 242, A bill to be entitled "An Act to appropriate out of the general revenues of the State the sum of \$25,000 for the purpose of having erected monuments, markers and tablets on the Chickamauga National Military Park to designate the positions occupied by the soldiers from Texas," etc.,

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

WEINERT,  
MURRAY,  
MEACHUM,

Committee Room,

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred

Senate bill No. 287, A bill to be entitled "An Act to appropriate out of the general revenue of the State of Texas the sum of \$5000 for the purpose of having erected a monument on the public square at Gonzales, Texas, the birth place of Texas independence, and dedicated to the memory of those who made this spot historic in the first battle of the Texas Revolution, and the further sum of \$200 to defray the expense of properly executing the purpose of this act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WEINERT, Acting Chairman.

Committee Room,

Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred

Senate bill No. 179, A bill to be entitled "An Act to create a special fund for the erection, repair and equipment of buildings at the medical branch of the University of Texas, at Galveston, Texas, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WEINERT, Acting Chairman.

Committee Room,

Austin, Texas, March 1, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed



Bills have carefully examined and compared

Senate bill No. 201, A bill to be entitled "An Act to amend Articles 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952 and 2955 of Title 54 of the Revised Statutes of the State of Texas, 1895, relating to the House of Correction and Reformatory; providing for a change of its name; providing for its control, management, support, maintenance and regulation; providing who shall be or become inmates, parolled or released; providing that juveniles convicted in juvenile courts be sent there; providing means of entrance for all incorrigible boys; repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,  
Austin, Texas, March 1, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 202, A bill to be entitled "An Act to amend Section 9 of Chapter 63 of the General Laws of the Thirtieth Legislature, entitled 'An Act to define "delinquent child" and to regulate the treatment and control of same'; providing for commitment of delinquent juveniles to the State Institute for the Training of Juveniles; providing procedure, repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,  
Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 167, A bill to be entitled "An Act to amend Article 1264 of the Revised Statutes of 1895 and to fix the time of filing an answer in all cases where the defendant is cited by publication,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,  
Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 178, A bill to be entitled "An Act to promote the safety of employes and travelers upon railroads in this State by limiting the hours of service of conductors, engineers, firemen and brakemen; by making it unlawful for any railroad company or the receiver of any railroad company, or any officer or agent of such railroad company or receiver to require or permit any conductor, engineer, fireman or brakeman to be or remain on duty for a longer period than sixteen consecutive hours, by providing for the relief of any conductor, engineer, fireman or brakeman after having been continuously on duty for sixteen hours, and preventing his being required or permitted again to go on duty until he has had at least ten consecutive hours off duty and preventing his being required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty after he has been on duty sixteen hours in the aggregate in any twenty-four hour period; by imposing a penalty for each violation by any railroad company or receiver of any railroad or any of the officers or agents of such company or receiver for each and every violation of this act; and by prescribing the venue of suits to recover penalties for violations of this act, and the officers by whom the suits shall be brought, and declaring an emergency,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,  
Austin, Texas, February 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 200, A bill to be entitled "An Act creating an independent school district, to be known as the Goliad Independent School District, including within its limits the unincorporated town of Goliad, in Goliad county, and to provide for the creation of a board of trustees thereof, and authorize the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings within the same, and to pay current expenses in the mainte-

nance and support of said schools, and to further prescribe the duties and authorities of said board of trustees,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,  
Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 263, A bill to be entitled "An Act creating an independent school district for free school purposes only, in the county of Johnson, and to be known as the Burleson Independent School District, and to have all the rights, powers and duties of an independent school district form for free school purposes only, and declaring an emergency,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,  
Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 56, A bill to be entitled "An Act to repeal Chapter 5 of the Acts of the Special Session of the Thirtieth Legislature, creating independent school district for Nixon, Wilson and Gonzales counties, Texas,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,  
Austin, Texas, March 2, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 198, A bill to be entitled "An Act to authorize the Wichita Falls Railway, to own and operate as its own the Wichita Falls & Northwestern Railway Company and the Wichita Falls & Southern Railway Company,"

And find the same correctly engrossed.  
WARD, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator Veale:

To the Hon. Jno. Veale, Senator, Austin, Texas.

Dear Sir: Whereas, there is being

an effort made to repeal the anti-bucketshop law passed by the Thirtieth Legislature, we, the undersigned citizens of Throckmorton county, do most humbly petition you to support and use your influence for the law as it now stands.

Numerously signed.

By Senator Hayter:

Decatur, Texas, March 1, 1909.

Senator Hayter, Austin, Texas.

Dear Sir: We, the undersigned citizens of Wise county, beg of you to use your influence and vote against the repeal or amendment of the anti-bucketshop law. One House bill No. 420, Senate bill No. 253.

Also, a bill introduced by Senator Terrell of Bowie county to amend the law pertaining to public weighers. We also ask you to use your influence against said amendment, or any other laws that would be detrimental to the cotton producers of your section.

Numerously signed.

By Senator Stokes:

To the Hon. C. B. Hudspeth, State Senator, Austin, Texas.

Dear Sir: We, the undersigned citizens of Val Verde county, respectfully request that you use your influence to induce the present Legislature to pass a special road law for Val Verde county, allowing the commissioners \$25 per month as supervisors of public roads.

Numerously signed.

By Senator Bryan:

Whereas, Realizing the fact that the old-line insurance companies are working through the Fraternal Congress to the end of getting State Legislatures in each State to fix a minimum rate per \$1000 to be charged by all fraternal beneficiary societies of such State; and

Whereas, Said minimum rate is much greater than the rate charged by the Modern Woodmen of America; and

Whereas, We believe that the Modern Woodmen with its million members, and judging by its record for the past twenty-six years, it is competent through its representative form of government to affix its own rate without the aid of any old-line company as the Fraternal Congress; therefore, be it

Resolved, That we petition Hon. M. G. Jackson, our Representative, and Hon. W. J. Bryan, our State Senator, to do all in their power to defeat any legislation looking toward fixing a min-

imum rate and declare an emergency; and further

Resolved, That the Clerk be instructed to draft said petition and sign the name of each member of this camp to said petition and forward a copy to Messrs. Jackson and Bryan at Austin immediately, and notify A. R. Talbot, H. C., of our action.

Numerously signed.

By Senator Adams:

Union Grove Local No. 1307,  
Brown County, Texas, Feb. 3, 1909.

To Hons. W. N. Adams, Senator from  
Brown County, and Others:

We, your petitioners, pray that you use all of your power and influence against any attempt there should be made to repeal the anti-bucketshop law as passed by the last Legislature.

S. H. CLARK, President.

G. G. GOSS, Secretary.

By Senator Cofer:

The undersigned women of Gainesville desire to express their disapproval of the movement to permit the sale of soft drinks containing cocaine, caffeine and other like ingredients, and hereby request the Senator and Representative from this district to both vote and labor against the proposed amendment to the pure food bill, the passage of which would permit the use of these drugs.

Numerously signed.

By Senator Meachum:

We, the undersigned business men, taxpayers and citizens of the city of Navasota, respectfully urge that you use all honorable means in your power to secure such an amendment to the anti-pass law as will permit duly elected delegates of our State Firemen's Association the use of free transportation to and from our annual conventions. We not only urge that you vote for this measure, but fight for its adoption, even though our Governor may veto it.

Numerously signed.

By Senator Holsey:

To the Members of the State Senate of  
Texas Now Assembled at Austin:

We, the undersigned citizens of Kaufman county, who are interested in the breeding of fine stock, do hereby respectfully petition your Honorable Body to vote for the "Breeders' Bill" and against the Robertson bill.

The "Breeders' Bill," if passed, will greatly encourage the raising of fine

horses, and if the Robertson bill should become a law it would kill all interest in raising and breeding good stock.

Numerously signed.

By Senator Cofer:

To the Hon. R. E. Cofer:

We, the undersigned citizens of the county of Cooke, respectfully memorialize and petition you to present this to the Honorable Senate of the State of Texas, in order that that Honorable Body may know our opposition to the passage of the bill now pending in the Senate, and known as the "Robertson Anti-Race Horse Bill," but that we respectfully petition said body to not only oppose and defeat the said Robertson bill, but to support and pass the "Breeders' Bill" now pending. The vital importance of this request to us impels us to take this step and make this request.

Numerously signed.

By Senator Mayfield:

Evant, Texas, February 27, 1909.

To the Hon. E. B. Mayfield, Senator for  
the Twenty-fourth District of Texas:

We, the undersigned, citizens of Evant and surrounding country, citizens of the said district, ask that you will work and vote for the Robertson bill, which is now before the Senate, which bill we understand prohibits gambling in any form in Texas, as we believe gambling in any form to be hurtful to public morals.

Numerously signed.

By Senator Adams:

Senator W. N. Adams, Austin, Texas:

We, the undersigned, citizens of your district, respectfully and earnestly urge you to vote for and give your support to the passage of the Mayfield-Meachum bill prohibiting pool selling, book making and wagering on horse races.

Numerously signed.

By Senator Adams:

To the Honorable W. N. Adams, State  
House, Austin, Texas:

Dear Sir: We, the undersigned, farmers and taxpayers of Comanche county, Texas, respectfully petition you to vote and use your influence against the passage of Senate bill No. 9. This bill not only imposes a prohibitive license fee, but we believe is intended to give certain interests behind the bill a monopoly on the sale of medicines. It is certainly against the farmer's inter-

est. The limitation upon any agent to sell any article from house to house is like the limitation upon the rights of the buyer to purchase wherever he may desire and to tax those who sell at the farmer's door and not impose an equal tax upon those who sell from buildings in a city is to discriminate against the farmers' rights. The bill in question creates a drug store monopoly, and if we permit this obnoxious precedent to go on unchallenged in time our serfdom will become absolute. To deny the rights of one is to impair the rights of all. We therefore ask you to consider our interests and act accordingly.

Numerously signed.

### THIRTY-SEVENTH DAY.

Senate Chamber,  
Austin, Texas,

Wednesday, March 3, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Meachum.	Willacy.
Paulus.	

Absent.

Hume.	Murray.
Mayfield.	Thomas.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

### EXCUSED.

On account of sickness:

Senator Hume for yesterday and today, on motion of Senator Peeler.

### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 3, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 10, relative to the improvement of the waterways of this country.

Also concurred in Senate amendments to House bill No. 357 by the following vote: Yeas, 109; nays, 0.

Also reconsidered the vote by which the Free Conference Committee report was adopted on House bill No. 152, and requests the Senate to take like action and reappoint Free Conference Committee. The following have been appointed on part of the House: Messrs. Byrne, Von Rosenberg, Trenckmann, Fitzhugh and Wahrmond.

Also adopted the Free Conference Committee report on House bill No. 186 by the following vote: Yeas, 96; nays, 0.

Also passed

Senate bill No. 3, A bill to be entitled "An Act to better regulate the assessment and collection of taxes in cities and towns which have heretofore abolished, or may hereafter abolish, their corporate existence."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

(Lieutenant Governor Davidson in the chair.)

### BILLS AND RESOLUTIONS.

By Senator Hudspeth:

Senate bill No. 296, A bill to be entitled "An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Legislature, entitled 'An Act to promote agriculture and stock raising, and to prohibit the hunting with fire-arms or dogs upon the enclosed or posted lands of another, in all counties within this State, not specially named as exempted from the provisions of this act,' as amended by the Twenty-sixth Legislature, to provide penalties, and with an emergency clause."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Hudspeth:

Senate bill No. 297, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of